

In Re application of)	Group Art Unit:
Andreas Ewald Heinrich BERNARD)	
Peter KROKOLINSKI)	Examiner:
Kurt Johannes WESCHENFELDER)	
)	
Application No. : 10/564,053)	
)	
Filed : January 10, 2006)	
)	
For : METHOD AND DEVICE)	
)	
)	
)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

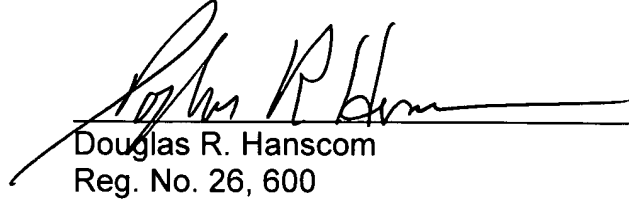
The subject U.S. patent application, which is the U.S. national phase, under 35 USC 371, of PCT/EP2004/051406 was filed with copies of various materials from the prosecution of the PCT application. Those materials were filed in the German language. There are submitted herewith English language translations of these various materials, as follows:

- Entry of these materials into the file of the subject U.S. patent application is

respectfully requested.

Andreas Ewald Heinrich BERNARD
Peter KROKOLINSKI
Kurt Johannes WESCHENFELDER
Applicants

JONES, TULLAR & COOPER, P.C.
Attorneys for Applicant



Douglas R. Hanscom
Reg. No. 26, 600

April 27, 2006
JONES, TULLAR & COOPER, P.C.
P.O. Box 2266 Eads Station
Arlington, Virginia 22202
(703) 415-1500
Attorney Docket: W1.2389 PCT-US

Translation of the pertinent portions of a Notification Regarding Forwarding of the International Search Report and the Written Notification from the International Searching Authority, mailed 04/22/2005

This International Search Report comprises a total of six pages. Copies of the cited references are enclosed.

3. Lack of Unity of the Invention (see Field III)
4. Regarding the title of the invention
the wording filed by Applicant is approved.
5. Regarding the abstract
the wording filed by Applicant is approved.
6. Fig. 4, as selected by the Office, is to be published with the abstract, since Applicant has not suggested a drawing figure.

INTERNATIONAL SEARCH REPORT

International application No.

PCT/EP2004 /051406

Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:

2. ☐ Claims Nos.:
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:

3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

see the Supplemental sheet

1. ☐ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. ☒ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:

4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
☐ No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

International application No.

PCT/EP2004 /051406

The International Searching Authority has determined that this international application contains multiple (groups of) inventions, namely

1. Claim 1

scan width of a sensor of quarter web width to influence fanout effect.

2. Claims 2, 4, 29

influencing side register and fanout effect by means of common features.

WRITTEN NOTIFICATION FROM THE INTERNATIONAL SEARCHING
AUTHORITY

This notification contains information regarding the
following items:

Field I Basis of the Report

Field IV Lack of Unity

Field V Reasoned Determination under Rule 43bis. 1(a)(i)

FIELD VII Certain Deficiencies of the International
Application

Field VIII Certain Remarks Regarding the International
Application

Field I Basis of the Report

[no entries marked in this section]

Field IV Lack of Unity of the Invention

2. The Office has determined that the requirement of
unity of the invention has not been met and has decided not
to request Applicant to pay additional fees.

3. The Office is of the opinion that the requirement
for unity of the invention in accordance with Rules 13.1,
13.2 and 13.3

has not been met for the following reasons:

see the attached sheet

4. Therefore the Notification has been made for
all parts

of the international application.

Field V Reasoned Determination under Rule 43bis. 1(a)(i)

1. Determination

Novelty	Yes: Claims 1,6,8,10,11,13-25, 27,28,31-35,37-43
	No: Claims 2-5,7,9,12,26,29, 30,36

Inventive Activities	Yes: Claims 6, 14 to 25
	No: Claims 1-5,7-13,26-43

Commercial Applicability	Yes: Claims 1 to 43
	No: Claims

2. Documents and Explanations:

see the attached sheet

Field VII Certain Deficiencies of the International Application

It was noted that the international application has the following deficiencies regarding form or contents:

see the attached sheet

Field VIII Certain Remarks Regarding the International Application

see the attached sheet

SHEET ATTACHED TO THE WRITTEN NOTIFICATION

Re.: Item IV

This Office has determined that the international application contains several inventions or groups of inventions, which are not connected by a single common inventive idea (Rule 13.1 PCT), namely

- I: Claim 1: Scanning width of a sensor of one-quarter the web width for affecting the fan-out effect
- II: Claims 2, 4, 29: Affecting the lateral registration and the fan-out effect by means of common characteristics

The reasons for this are as follows:

The common idea connecting independent claim 1 with independent claims 2, 4 and 29 substantially consists of a method for affecting the fan-out effect, wherein the measured values of a sensor are used for affecting the fan-out effect.

However, this idea is not novel (see document EP-A-1 048 460, paragraphs [0079] and 90080]. As a result, there is no technical connection between claim 1 and the group of claims 2, 4 and 29 within the meaning of Rule 13(2) PCT, so that unity in accordance with Rule 13(1) PCT has not been provided.

Re.: Item V

1. The instant application does not meet the requirements of Article 33(1) PCT, because the subject of independent claims 2, 4 and 29 is not novel within the meaning of Article 33(2) PCT.

A method for affecting the fan-out effect by means of a device and a method for affecting the fan-out effect (11 and 12), and for affecting the lateral registration by means of a lateral registration control/regulation device (63) ensues from publication DE-U-295 01 373 (D1), wherein the sensors (56 to 61) of the lateral registration control/regulation device and its measured values (a1 to a4) are also employed for affecting the fan-out effect.

2. Moreover, publication D1 also anticipates the characteristics of dependent claims 3, 5, 7, 9, 12, 26, 30 and 36 in a manner injurious to novelty.

3. The instant application does not meet the requirements of Article 33(1) PCT, because the subject of claim 1 is not based on inventive activities within the meaning of Article 33(3) PCT.

Document D2 discloses a method for affecting the fan-out effect, wherein for affecting the fan-out effect first the image from a sensor (5) in the form of a CCD camera, which detects markers on a web wherein, in case of a deviation from a preset nominal value, an actuation command is transmitted to an actuating element for affecting the fan-out effect. The subject of claim 1 differs from D2 in that the sensor detects the printed image over a scanning width of at least a quarter of the web width.

In view of the fact that markers for determining the web widening (fan-out) must be spaced apart in the axial direction, and publication D2 provides a camera for detecting these markers, it is obvious to one skilled in the art to select a camera which detects the relevant laterally offset markers.

Cameras suited for this ensue from the publications DE-A-43 21 177 and DE-A-41 30 677 for detecting the entire web width, which one skilled in the art would unhesitatingly select for executing the method in D2.

4. In view of the cited prior art, dependent claims 8, 10, 11, 13, 27, 32, 33, 37 to 43 do not appear to contain any characteristics which might lead to a positive judgement of the inventive activities.

Reference is respectively made to USP 5,553,542 and WO-A-98/18626 regarding claims 37 and 38.

5. The combination of claims 2 and 6, 4 and 6, as well as 29 and 31, does not appear to be suggested by the relevant prior art.

Re.: Item VII

Publication DE 195 01 373 U1 mentioned on page 1 of the application could not be located. However, it appears to agree more with publication D1.

Re.: Item VIII

The application does not meet the requirements of Article 6 PCT, because claim 1 is not clear.

It follows from the specification, page 2, paragraphs 3 and 4, and from pages 11 to 18 (in particular page 15, paragraph 3 to page 16, paragraph 1), that the main idea of the present invention rests in utilizing identical measuring means and/or control devices for correcting errors in lateral registration and fan-out in order to reduce the outlay in this way.

Accordingly, the characteristics expressed in claims 2 or 4, or 29, are essential for defining the invention.

Since independent claim 1 does not contain this characteristic, it does not meet the requirements of Article 6 PCT, together with Rule 6.3 b) PCT, that every independent claim must contain all technical characteristics which are essential for defining the invention.